

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 06, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

MONIQUE GEORGE and VESZONO
GEORGE,

Plaintiffs,

v.

MERLY H. MOZ and MARIAH
FRAIDE

Defendants.

No. 1:24-CV-03158-RLP

ORDER DENYING MOTION FOR
RECONSIDERATION

BEFORE THE COURT is Plaintiffs' Motion for Reconsideration, ECF No. 13. This matter was submitted to the Court without oral argument.

Reconsideration is an extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources.” *Kona Enterprises, Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000). A motion for reconsideration of a judgment may be reviewed under either Federal Rule of Civil Procedure 59(e) (motion to alter or amend a judgment) or Rule 60(b) (relief from judgment). *Sch. Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993).

“Reconsideration is appropriate if the district court (1) is presented with newly

ORDER DENYING MOTION FOR RECONSIDERATION * 1

1 discovered evidence, (2) committed clear error or the initial decision was
2 manifestly unjust, or (3) if there is an intervening change in controlling law.” *Id.* at
3 1263; *United Nat. Ins. Co. v. Spectrum Worldwide, Inc.*, 555 F.3d 772, 780 (9th
4 Cir. 2009) (citation omitted). Whether to grant a motion for reconsideration is
5 within the sound discretion of the court. *Navajo Nation v. Confederated Tribes and*
6 *Bands of the Yakima Nation*, 331 F.3d 1041, 1046 (9th Cir. 2003).

7 Plaintiffs’ motion for reconsideration again requests the Court to appoint
8 counsel under 25 U.S.C. § 175 and includes a new request for appointment of
9 counsel under 28 U.S.C. § 1915(e)(1). In support of their requests, Plaintiffs argue
10 the merits of their lawsuit and contend they have been unable to retain counsel
11 themselves due to unspecified financial, geographic, and legal barriers. As with
12 Plaintiffs’ Motion for United States Attorneys to Represent Indians, ECF No. 11,
13 Plaintiffs fail to demonstrate they are legally entitled to appointment of counsel
14 under 25 U.S.C. § 175. As Plaintiffs do not meet the standards for reconsideration,
15 their motion is denied.

16 With regards to Plaintiffs’ new request for appointment of counsel under 28
17 U.S.C. § 1915(e)(1), ECF No. 13-6, Plaintiffs are directed to make this request in a
18 separate motion and to file with it an *in forma pauperis* financial affidavit (Form
19 AO 240) demonstrating their indigency.

20 **ACCORDINGLY, IT IS HEREBY ORDERED:**

1 1. Plaintiffs' Motion for Reconsideration of Order Denying Plaintiffs'
2 Request for United States Attorney to Represent Indians, **ECF No. 13**,
3 is **DENIED**.

4 **IT IS SO ORDERED.**

5 The District Court Executive is directed to enter this Order and forward
6 copies to the parties.

7 DATED May 6, 2025.

8 

9 REBECCA L. PENNELL
10 UNITED STATES DISTRICT JUDGE